

THE

Tryal, Examination,

AND C432.

CONDEMNATION,

OF

Occasional Conformity, &c.

At a Sessions of *Oyer and Terminer*,

HELD AT

TROYNOVANT,

BEFORE

Mr. Justice *UPRIGHT*,

AND

Mr. Baron *INTEGRITY*.

At the Common-Hall of the said City on T——
the 26th of J——y, 1703.

LONDON: Printed in the Year, 1703.

CONTAMINATION

THE DYNASTY

BEFORE

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Trial, Examination,

A N D

CONDEMNATION

O F

Occasional Conformity, &c.

The Court being sat, the Jury Impanell'd, and the Prisoner brought to the Bar, as in the like Cases, she desir'd a Copy of the Indictment, which was granted, and ran thus:

The I N D I C T M E N T.

TH E Jurors upon their Oaths do say, That Occasional Conformity not having the Fear of God before Her Eyes, but mov'd by the Instigation of the Devil, did Villanously, Traytorously, Maliciously, and Feloniously Conspire the Death of the Church, Establish'd by Law, and Her to Murther, and bring to her final End, did Plot and Contrive unpresidential Ways and Means contrary to the Laws of this Realm, and the Dignity and Authority of the Government now in Being; That in order to bring about Her said Wicked Designs, and accomplish Her Hellish Purposes, She did throughout the whole Reign of His Late Majesty that now Sleeps with the Saints, provide and carry about Her an Unlawful and Unseizable Weapon, of a Prodigious Length and Breadth, call'd

Lati-

Latitudinarianism, Her to Kill and Destroy, the use of which Weapon being altogether unknown to the aforesaid Establish'd Church, She then, and there did lose her Rights and Privileges, and almost all other Immunities to the aforesaid Church Established belonging, and appertaining; and that being in Bodily Fear of Her Life, and the utter Extinction of those that belong'd, She was forc'd to submit to the said Occasional Conformity's Insufferable Tyranny for the space of F——n Years, when it pleas'd Heaven to restore things and affairs to their Native and Primitive Order. They therefore, the Jurors aforesaid, do say, That Dame Occasional Conformity, aforesaid, is Indirectly Guilty of the Murther aforesaid, by the Ways, Means, and Weapons aforesaid, and ought to be found Guilty of Death, as in Cases of Treason, since Abetting, and Contriving the Extirpation of the Establish'd Religion, aforesaid, is Equal to that of the Government, aforesaid, &c.

Prisoner. My Lord, the Indictment runs very high, but I cannot understand how it can possibly reach to High-Treason; I have advis'd with Council, and Mr. Serjeant L—— says, if I did not actually Kill the said Establish'd Church, as W——y did his H——s, I cannot be Arraign'd for Murther.

Judge. This is not the first Mistake that Learned B——r of Ours has made — But Madam, you are first to Plead to your Indictment, whether Guilty or not, and afterwards to make your Observations.

Pris. Under Favour, My Lord, I may be permitted to find a Flaw in the Indictment, it's a common Benefit every Ordinary Criminal is Partaker of.

Judge. But if that Flaw of yours appears to be none, and is over-ruled in the Judgment of the Court, it is but necessary you should proceed to Answer to the great Question you are concern'd in, Whether Guilty or not.

Pris. My Lord, I desire Council to Plead for me, I am unskill'd in the Laws, and may be Detrimental to my self for want of proper Advice. The Business of Life is of the highest Consequence, and it's my Duty to preserve it by what proper Methods I can.

Judge. Had you been skill'd in the Laws as you should have been, you would never have mis-interpreted the Meaning of 'em so as to be brought to this Place for the Crimes you stand accus'd of. The Men of your Communion have always been against the Allowance of Council for those of other Principles than themselves,

selves, and you are to rest Contented with the same. Though I cannot see what Benefit it would be to you at this time, since I, that am both your Council and that of the Government, cannot perceive any thing to be found Fault with in your Indictment, and must Attest the same Hand could not do it, that drew up that against the B——s, for the Characters with the *Ram's-Head* at the Top of 'em.

Pris. My Lord, under Submission, I am a poor Ignorant Woman that can say nothing for my self, and the Modesty of my Sex will not permit that Freedom of Speech which is Natural to Men; I pray my Lord Mr. Serjeant L---, and Mr. S--- may be granted me for my Assistants.

Judge. Notwithstanding that Ignorance of yours, Mistress, which is taken for Granted, you were under nowant of Impudence sometime since. However, not to make it a President for other Criminals, you have the Favour of the Court, and these two Worthy Gentlemen are allotted you, as your Assistants in this New State of Modesty.

Cl. of Ar. Hold up your Hand. *You, Mistress, that hold up your Hand at the Bar by the Name of Occasional Conformity,* hearken what I shall say to you. You stand here Indicted for Endeavouring to Compass and bring about the Death of the Church Establish'd, *For that you, &c.* How say you, Are you Guilty, or not?

Pris. Not Guilty, My Lord.

Cl. of Ar. *Culprit?* Who will you be Try'd by?

Pris. By the Act of *Toleration*, and my Country.

Cl. of Ar. You see Gentlemen, She is something Diffident of Trusting Herself in the Hands of God, after She has been Guilty of so much Hypocrisie in the Exercise of his Divine Worship. However, Mistress, God send you a good Deliverance.

A. G. My Lords, and you Gentlemen of the Jury, the Prisoner at the Bar stands Accused of the Highest Crime any Earthly Being can be Guilty of, the Subversion of a Religion that has had its Foundation from the very Date of Christianity, and has been Establish'd in this Land by King, Lords, and Commons, the three Estates of it Assembled in Parliament, and should a Malefactor of so high a Nature be Conniv'd at, we that have Reform'd our selves from the Errors that have Crept into the Church of Rome, have Worshipp'd God from our Youth Upward with Decency and Order, must expect in Time to be wholly lost
to

to the Exercise of our Establish'd Faith, and the Doctrines made Profession of according to the Institutions of God, and Statutes of the Kingdom. To prove her Guilty of the Crimes laid to her Charge, give me leave to look back to former Reigns, and Hypocrisie and Irreligion will manifestly appear to be practis'd by Her from the Reign of K. J——s I. to the Days of Her Present M——y. What seduc'd that Misled Prince, and damp'd the Rising Glories of his Reign but *Occasional Conformity*? What brought K. C——s I. to the Block but the Sufferance of such Offenders in Places of High Trust and Dignity, and who were in continual Plots against K. C——s II. Embitter'd the Sweetness of a Reign that was all Meekness and Compassion, but this same Prisoner at the Bar, Dame *Occasional Conformity*? Who Reduc'd the Best of Princes, though the most Unfortunate of his Illustrious Family, to the worst of Misfortunes, a State of Banishment, and Disappointment, a Precarious way of Living in another Court, but the Followers and Abettors of this same Person now before you, and who is still Persecuting Him in his Royal Remains, and Reviling his Memory in the Q——n his Daughter; but this Indefatigable piece of Envy and Malice, this Sorceress and Dissembler. She has put herself upon her Tryal, and has Join'd Issue by pleading *Not Guilty*, what little Reason She had for such a Plea, will appear by the Evidence to the contrary, and if we can prove Her Guilty of Rebellion, and Murther, make her appear not fit to Live amongst Civil Societies, and Confirm the Truth of the Allegations in the Indictment form'd against her by the Grand Inquest of this City, we question not but you will do your selves and Posterity that Justice, as to stand up for the Cause of God, Her Majesty, and the Children that are to come after us; if not, you are bound in your Respective Consciences to Acquit Her, according to the Tenour of the Law, which Condemns none but those that are Guilty of the Breach of it.

Qu. Coun. I pretend not to add to what Mr. A—— G—— has laid before you; he has trac'd her from the Cradle to the time of her present full Growth and Imposthumation of Malignity. What remains in me, is to produce the Evidences against Her; and first I shall begin with one Mr. *Sincerity Trueman*. Cryer, call Mr. *Trueman*.

Cryer. Mr. *Sincerity Trueman*.

Conn. Mr.

Counc. Mr. *Trueman*, be so kind as to Acquaint this Honourable Court how long you have known the Prisoner at the Bar, and what Knowledge you have had of her from your first Acquaintance.

True. My Lord, I have known the Prisoner at the Bar ever since the Year Forty One; and have studied her Temper from the very first Moment of our Acquaintance. She's a Turbulent, Whining, Canting, Plotting, Hypocritical, Old Offender.

S ——— L ——— Prithee Friend, what Religion are you of, your Discourse renders you very Suspicious! What have you to say against the Proceedings in the Year Forty One.

Mr. Sl. A very pertinent Question *Mr. R ——— r*: I cannot persuade my self but he is a downright Papist in his Heart which Invalidates his Testimony. He behaves himself as Impudently in the Face of the Court, as I did at *Loo*, when I told *K. W ———* that I had Serv'd the Gamesters at *Tunbridge*, and had been as much too hard for them as the *French King* for the Confederates. Ay, ay, Fellow, what Religion are you of?

True. A Religion that neither of the two Gentlemen that put the Question have any Knowledge of; a Religion my Lord, that teaches Obedience to Superiours, that does not wink at Rebellion, or make a Jest of the Royal Prerogative. The Church I belong to, which is the Church of *England*, abhors Murthering or Deposing of Kings, and I must tell that Sour Gentleman in the Coif this; That I act like a good Subject and a Christian, while I speak against the proceedings in the Year Forty One, when he probably may not deserve the Name of either.

S ——— L ——— One of her *M ——— s* *S ——— s* at *L ——— w*, and neither a Good Subject or Christian! Would to God I had him in my Louse-Hole in the *O — d-B — y*, Hanging should be the least of his Deserts; I would Screw up Petty-Larceny into High-Treason, but my Servant *Mr. P — e* should have the Fingering of him. My Lord I crave the Favour of the Court, and that I may have Leave to Issue out my Warrant to Commit him to *Newgate*.

Judge. A little more Temper, Brother, the present Condition of Affairs will not bear it. You have had your Day long enough, and it's high time we should come in for Ours; the *Q ——— s* Evidence must not be Brow-beaten or Over-rul'd; if you have any thing material to ask about the Prisoner at the Bar, you have the Allowance of the Court, otherwise the Evidence is to proceed.

Mr. Sl.

Mr. Sl. My Lord, it is well known, neither of us who are Council for the Prisoner, ever ask'd an Immaterial Question in our Lives, and have a greater Reputation in the World than that comes to.

Judge. What's your Reputation to the Court, it is no Concern of Ours, it's your Business to object against that of the Witness, and produce any thing that may weaken the Strength of his Evidence.

S—L—. I have not been made Choice of so often to Congratulate the King, for *Pulling the Lyon by the Beard, and returning Home Conqueror over a Son of Mahomet*, but I have the Repute of one, that amongst the Sober C—s, know how to do my Duty.

Qu. Counc. Well, Mr. Trueman, You say you have known this Gentlewoman from the Year 1641, to this Day, and upon the Oath which you have taken, She has always been of a Turbulent, Malicious Spirit. Pray Sir, what place was it you first grew Acquainted together in.

True. Why truly, My Lord, to the best of my Knowledge, it was in our Parish-Church.

S—L—. Now I think I shall come up with him to the Purpose. Pray, Sir, is that a Place for People to grow acquainted together in; I thought, Mr. Truman, you went thither to Exercise your Devotion, and Serve God after your Method of Service; but, it seems, Conversation is a great Inducement for you to go to Church, Religion's but a sort of Pretence.

Mr. Sl. What a Dog was I not to think of that Cloer of his! He has Pinn'd him to the Ground like a Mastiff at the Nose of a Bull, and I must come in for a piece of a Nostril. Ay Sir, Mr. S—t says Right; Do Folks use to go to Church to get Acquaintance; Come Answer that Question if you can? I think we have puzzled you now with a Witness.

True. My Lord, I thought I came hither as an Evidence, not to be Punish'd as a Delinquent. My Lord, I shall never be able to continue in the Court if you suffer that Gentleman in Black there to make such a Noise in it. I shall be forc'd to step to Pye-Corner to have my Ears Syring'd, without your Lordship's Commands to him to cease making me Deaf with Impertinence and Nonsense.

S—L—. Be pleas'd to observe my Lord, how that Question of Ours has startled him, he cannot Answer it for the Remorse

Remorse of his Conscience, and now he would shift it off by desiring my Brother Council may speak lower.

True. No such Thing, Good your Worship, *R*——, I took Her for one of us, for adjoyning in the same *Communion* with us, and accordingly took several Opportunities of Conversing with Her, in Hopes to fix Her in the Conversion She made Pretences to.

Judge. Honest Friend, you say you laid hold of several Opportunities to Discourse her, How did you find her, and which way did her Pulse beat?

True. All manner of ways, may it please your Lordship, and she stuck at nothing that had profitable Invitations with it.

Pris. He Accuses me, falsely, my Lord, I was always against Popery, which is a way my Pulse never beat towards.

Mr. Sl. My Client observes very well; That is one of the ways indeed, tho' it be but a very Scurvy sort of a Road that it leads to.

True. She would have Embrac'd Popery or any thing else to have crept into Authority, and was always an Ambitious Baggage, come Devil, come Turk, she would have comply'd with any Proposals, so that she could by any means run away with the Chief Dignities in Church or State.

Pris. My Lord, How can he pretend to Divine, I am sure I never made him Acquainted with my Inside?

True. Yes, and your Outside too; there was not a Motion in your Heart but I was Conscious of, and scarce an Impulse but I was made Privy to it.

Pris. That's a grand Mistake, and no Person breathing, that is Acquainted with the Party I am Related to, will offer to say it; We learn the Gift of Secrecy from our first Initiation, &c. But under Favour, I presume I am not brought hither for Thinking, but Acting, and it is your Business to prove me Guilty of Ill Things charg'd against me, not Ill Thoughts.

S——L—— A very Lucky Observation, the Devil sure has taken Possession of this Scull of mine, or I had it upon it my self. Yes, my Lord, my Client says right, *Aliud est Agere, aliud Cogitare*, no matter what Author tells us so, I have Conjur'd up this Sentence of *Latin*, and I will stand by it, as long as Cook upon Littleton can help me out, or Keble's Reports keep me in Countenance.

Q. Coun. I never heard we had a Conjuror to deal with, my Lord, before; but since that Gentleman has taken the Name upon him, it's the Business of us that Pleads on the side of the Crown to be as Circumspect as can be. He's a Man not easily to be dash'd; and if to talk N—— sense, and never be out of Countenance, be an Argument of an Even Temper or a strong Judgment, I have seen him do it with as little Law as could be, and without the Assistance of my Lord Coke or Keble.

S—— D. My Lord, we have been something Tedious in the Matter, and the Prisoner at the Bar seems Uneasy till we come to the Point, which, I presume, will be, too soon for Her, if I am not Deceiv'd in my Evidence. This Gentlewoman stands Indicted for High Treason, and we have hitherto been giving only an Account of her Conversation; we beg the Favour now to come to Matters, and make it apparent as the Sun at Noon day, that she is Guilty of the said High Treason, and ought to be Adjudged accordingly.

Pris. My Lord, I don't like that Gentleman's F—— by any Means; I desire he may be remov'd from the Court, or I shall never be able to make my Defence as I should. I stand here for my Life, which is the Tenderest Concern that can be, and I beg I may have all Advantages that are to be granted to save it; for he's so horrid Ugly, that I shall die with the Apprehensions of him before my Tryal is over.

Judg. I can't think you are so mighty Modest, but you can look a Man in the Face; However, the Court, to give you no Cause of Complaint for Severity, grants your Request, and dismisses my B—— D—— from any farther Attendance at this time: Come, you that are Counsel against the Prisoner at the Bar, Go on with your Evidence, and be as Concise as you can in what you have to urge against Her.

Q. Coun. My Lord, Mr. Truman has let this Honourable Court into the Knowledge of this Occasional Conformity's Behaviour. He has told you he has known her from the year 41 to this Time, and given you to understand that her Principles have been Seditious from the very Original of her Constitution, and instanc'd in several Things relating to the Proof of his Affirmations, he could go on much farther, and prove her guilty of the Intended Murther, &c. But having been Unchangeable in the Worship he imbib'd in his Infancy, and the Doctrines he has since been Instituted in, he presumes what he has yet to say against

against Her may be taken for Malice, since they are so opposite in Religion. Wherefore we shall apply our selves, and make it appear from one of her Bosom Friends, That she is Guilty of the Crimes she stands here Accus'd of. *Cryer, Call, Mr. Amphibious Trimmer.*

Cryer. Mr. Amphib. Trimmer. You shall well and truly Answer, &c.

Q. Coun. Mr. Trimmer, look upon the Prisoner at the Bar, and tell the Court how long you have known her.

Trim. Known her, my Lord, we are Brother and Sister's Children.

Judg. Then give us an Account of this Kinswoman of yours.

Trim. Pardon me, my Lord, I desire you wou'd excuse me; for it goes something against my Conscience to appear against so near a Relation. When she was on the right side; I mean the Strongest, which is always mine, I had a singular Kindness for her; which makes me something unwilling to say what I know in the Matter.

Q. Coun. But you are upon your Oath, and must answer the Interrogatories of the Court.

Trim. Nay then, if I must, I must; God forbid I should be forsworn, tho' the Family of the Trimmers have not been the greatest Strangers in the World to the Thing, call'd Perjury.

Sl. Do you hear him, my Lord, I except against this Fellow's Testimony; He's a mere Jacobite, one that is always a Speech-Maker in the *Poetical Observer*. I must tell you, a Man that has been of so many Religions as he has been of, is not capable to make a true Judgment of any.

Trim. However if Mr. Pert yonder, will give Leave, my Lord, I can prove it is better to be of many Religions than of none, which is that worthy Gentleman's Character, that has his Church yet to seek.

Judg. Pray no personal Reflections, than what relate to the prisoner in the Face of the Court. I won't sit here to hear Noise and Scandal, as in the Courts at *Westm* — What have you to say, Mr. Trimmer, against the Prisoner at the Bar.

Trim. I say, my Lord, I call'd her Honest while I was one of Her followers; but now I adhere to the Church Establish'd, She is a Rebel, a Thief, and a Murtherer.

S — L — This is a rare Fellow indeed, if He were but of our side; how I could Hug the Rogue! *Titus Oates* never

spoke three such Home words; and my Champion Capt. P—— is but a puny Witness; But, Sir, by your Leave, I presume you'll find it hard to prove it,

Trim. That's more than you know, R—— It's much Easier than to prove Killing of H—— to be Manlaughter.

Q. Coun. What know you therefore, as to her Guilt of Rebellion?

Trim. My Lord, I was in all her Cabals, in King *Charles* the Martyr's Time, and we agreed to Communicate after the Form of the Court, to get into Places of Trust, that we might be enabled to bring in Anarchy and Confusion, which by her Means we Accomplish'd; We did the same in King *Charles* the Second's Days, and tho' the *Rye-House* Conspiracy, and other intended Risings were to be Executed by Men of no Occasional Principles, she was always at the Bottom of the Plot, and gave *Shaftsbury* and the rest of the Malecontents Opportunity to bring it about. She got in P——n and B——l to be Sheriffs, and in the two following Reigns supply'd us with Officers of Trust. She Murther'd one King, Depos'd another, and made a Mock King of a Third: She was not indeed the immediate Instrument, but she was the Remote, and the first mover of Sedition, tho' not the Sole Agent in it.

Pris. My Lord, this Gentleman, Swears like a Relation, but I hope the Court will take Notice of his Character, and make a Distinction between a *Trimmer* and an *Occasionalist*. But grant all that he says is true, I humbly Conceive it not to be of any Purpose against me, unless I was Charg'd with it in the Indictment.

S—— L—— The Lady says nothing but downright Law, as if she had been bred up at the Feet of *Gamaliel*.

Q. Coun. I never heard, may it please your Lordship, that she had Study'd *Judaism* before, I thought always she made but a very indifferent Christian, but was far from thinking she was a *Jew*. But R—— may know better, and probably may have had Ocular Demonstration of her Submission to the Law of *Moses*, by way of *Circumcision*, at the same time as she pays so little Deference to the Laws of the Land.

Sl. Why not, Sirs? My Brother, the Dr. who is the *Royal Society's* Secret-monger, has made it appear to the World
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in his learned Writings, That a Woman may be Circumcis'd because she has a Foreskin, notwithstanding my Brother Barrister there seems to make a Jest of it.

Judge. You keep up to your old Character of Modesty, *Sl---*, I wish you would shew it by giving the Court no more Interruption. Come, you that are the Witness, must know that the Woman at the Bar has made a proper Objection against what you Charge her with, as not Incerted in the Indictment, she stands Indicted for intending the Murther of the Church Establish'd; Have you any thing directly to that Point, other Accusations are Foreign, if not to the Purpose of what she is Arraign'd for.

Trim. Then I do say, That I have been in Company with her, when I have heard her Revile the Sacred Ordinances of the Church, speak Evil of the Priesthood, and vent Blasphemies against the Worshipping God Almighty Himself in Decency and Order.

S--- L--- And what of all that, Mr. *Trimmer*, Where's the Treason in that? I heard People do that my self several times, but never knew they were Try'd for their Lives for so doing. Come, come, this will never do, the Law directs Words shall not amount to Treason; To a Misdemeanour, &c. they may.

Qu. Counc. But we have something besides Words, we have the Consequence of those wicked Words, true Matters of Fact to lay to her Charge, we have Time and Place to Convince the Jury with, and Overt-Acts to Convict Her. Were you never in Consultation with her at any Place?

Trim. Yes, My Lord, at *Dick's* Coffee-House, and at *Manwaring's*, and at the *Rose-Tavern* without the Bar.

Qu. Counc. What Discourse had you there?

Trim. We laid our Heads together how to prevent a certain Bill that had Pass'd the *H---* of *C---* from taking Effect.

S--- L--- Be pleas'd to take notice, my Lord, and you Gentlemen of the Jury, That the Intent of the r coming together, was only to provide for their own Security. The Parson of my Parish never told me it was a Sin to Act on the Defensive; they had no Offensive Weapons with them, to make 'em suspected of any Design, that's well enough Mr. *Trimmer*,
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the Lady is oblig'd to you for speaking so Kindly in her Behalf.

Trim. She may keep her Thanks till I deserve 'em. But, My Lord, the Prisoner at the Bar was so far from thinking to Act on the Defensive, that She hir'd several Scriblers to Write against the Church Establish'd, to defame its Members, and render its Immunities as so many Incurfions upon the Rights and Liberties of the Subject, before any such thing as a Bill was brought in against her.

Pris. My Lord, I must confess I never lov'd any Invasion but one, the very Word puts me almost in a Fright, and I really thought the Gentlemen of my Communion had been ill us'd for these two or three Years last past. —

Sl. D---me Madam, what are you going about, you are Pleading for a Halter as Heartily as ever poor *Culprit* did for Transportation to the *East and West-Indies*. My Lord, the Gentlewoman has not that Variety of Expression as some People, such as I and the Gentleman that assists me, have; we therefore beg no Advantage may be taken, and that She may not be accountable for every Slip, &c.

S--- *L---* I join in the Request, and affirm it to be according to a Law made in the 13th Year of *Edw.* the Sixth.

Judg. No Truly, *R---* God forbid but She should have all the Favour Imaginable, we have no occasion to mind her Slips and Errors in Speech, when you, and your Brother Council have enough to Engross our whole Observation. But, my Brother *S---*, what Law is that you mean, for as I take it, *Edward* the Sixth never Reign'd Thirteen Years?

S--- *L---* I have read such a Law, and my Brother, *Sl.* here knows it very well, but should we tell the Court where to find it, other People would be as wise as our Selves.

Sl. Yes, My Lord, it is even so as he says, we should be Wise Asses indeed, to be Communicative of that which we spent so much Pains and Time in searching after. No, we have not had such prodigious Gifts bestow'd on us for that Purpose, our Sculls are *Impenetrable*, and far from being
Porous,

Forous, as my Brother the Physician tells me, other Mens are.

Qu. Counc. No Man disputes your Impenetrability, but it's a threwd Sign you have but an Ill Hand at Law, when you are forced to have Recourse to Physick to defend your Client by; but we lose time, therefore the Court, Mr. *Trimmer*, thinks it proper that you should proceed.

Trim. These Scriblers, My Lord, flung about their Pamphlets as thick as Hail; and *Legion-Letters*, *England's late Juries*, and *Black Lists* flew about exceedingly---

Pris. Suppose they did, my Lord, can a little Scandal reach to an Overt-Act, and render me Guilty of High-Treason?

Qu. Counc. Under Favour, My Lord, here is an Overt-Act, the Witness has Sworn he was in Company several time, with the Prisoner at the Bar, was at her Consultations and Cabals, where several times Money was Rais'd for Mercenary Hirelings, to Write against the Church Establish'd. Now, if it be Treason in the Highest Nature to Imagine, or Endeavour, to Compass the Death of the King or Queen, by Levying Men, and keeping Assassins in Pay to bring about their said Purposes, this Honourable Court will certainly allow, that I intend the Destruction of God's Holy Ordinances, which are Highly Superiour to those of Kings and Queens, cannot be accounted less Criminal.

Pris. My Lord, If you will be pleas'd to remember, He that drew up the Indictment, was pleas'd to take notice, I made use of a *Weapon*, call'd *Latitudinarianism*, I beseech you to know the Meaning of it, for my Council have been pleas'd to explain themselves so as to make it unintelligible to me.

Judg. The Word is Comprehensive, and includes a Person confin'd to no manner of Principle in Particular, but Embracing all in General, that had any Regard to Profit or Advantage.

Pris. I stand Corrected, my Lord, but they Inform'd me 'twas either a sort of Black Bill, such as Dr. *Oates's* 40000 *Spanish* Pilgrims were, or an Instrument of War, like to the late Duke of *Monmouth's* Scyths.

S. L. We did so my Lord, and all the learned Languages agree with us in the said Explanations.

Judge. Then the Ancients understood what Weapons Dr. Oates his Pilgrims, and *Monmouth's* Rebels made use of? Indeed, Brother, it's more than the Court knew before.

Sl. We believe it; but it is not the first time we have instructed the Court, and led 'em into the knowledge of what they were ignorant of: But suppose the Prisoner at the Bar had furnish'd her self and Associates with this very Numerical Weapon; Was ever she or they found making use of it.

Trim. Found making use of it? I have seen her several times make use of it with a Witness; by the Assistance of it, she has dar'd to deny her own Communion, and embrace that of others; has taken Oaths and Sacraments that were held in Detestation by her; has broke thro' the Fence of the Law and Gospel; has done every thing that might render her odious to God, by endeavouring to be in esteem with Men; and after the Expiration of the Time allow'd for such and such Offices she has been possess'd of, has return'd to her former ways, like the Dog to his Vomit, and forsworn and abjur'd the Doctrines she had before adher'd to, for the sake of Advantages.

2 Couns. A pretty sort of a Gentlewoman upon my Word, I believe the Court need not trouble themselves with any further Witness, Mr. Trimmer has said enough to Convict her.

Sl. But suppose you should be mistaken, Friend of mine, and reckon without your Host, we have another Act of Parliament at your Service, and another after that, to satisfy the Court that you must have another sufficient Witness before Matters can be brought to that Pass: See the Statute of *William* the Third in the Year 95.

S. L. It's true, my Man shew'd it me just before I came into Court, but I have been so intent upon keeping that Act of Parliament of *Edw.* the 6th in my Head, that I have let slip all modern Affairs of the like nature.

2 Couns. We did not tell the Court we had no more Evidence to produce, but we thought what had been produc'd had been sufficient: However in compliance with your Learned Quotation, and to shew that we have no other Thoughts but to do Justice, and directly follow the Laws which are our Guides, we shall produce another Witness to prove her Guilty of the Overt-Act which Mr. Trimmer has made so manifest and apparent: Though

I cannot but observe at the same time, tho' the Power is in our Hands, and we have the Majority of our side, we do not pretend to *Attaint* her, because we cannot produce another Witness to *Condemn* her, an Action which will never be lost in Forgetfulness while this Town we are now in shall be call'd *Troynovant*.

Judg. Be tender as to any Reflections on the late Government, we sit here to do Justice upon the Living, not to reproach the Dead.

Sl. I am a meer Pigmy in Scandal, and Saint in Impudence to him, let him say what he will of the Prisoner at the Bar and us the two Council, we are able to answer him; as for my part, *Qui me commoritur melius non Tangere clamo.*

S. L. And for mine, my Abilities, my Lord, are too well known, as to make me explain my self otherwise to any Man in the Long Robe that reflects on me, than with that Famous Orator the *Roman Martial*, *Va tibi Causidice.*

Q. Coun. To satisfy you then Mr. *Clamorous*, and you Mr. *Woe-full*, I shall produce a better Orator than *Martial* the Poet to do the Prisoner at the Bar's Business.

Pris. I would willingly be excus'd, for my Business is not in such hast, but you may defer it to another time.

Q. Coun. Cryer. make Proclamation for Silence.

Call Dr. *Canonical Meagre.*

Cryer. Dr. *Canonical Meagre.*

Meagre. Here my Lord.

Judg. Pray good Doctor, be so kind as to tell the Court whar you know concerning the Prisoner at the Bar, this Woman that stands here Indicted before you.

Meagre. I have known her formerly as well as any Person breathing, was always inveterate against her before the Revolution, till my Wifes Reasons made me change my Sentiments, and confirm'd me as good an *Occasional Conformist* as the best of 'em; but since this new Change of Government, I am inclinable to be as much against her Interest as any one.

Pris. Your Lordship may please to observe che Doctors Inclination to take a Bribe to give his Testimony against me, but I hope this Honourable Court will shew him no Encouragement.

Meagre. I have no occasion for Bribes, my Lord, the D. of *S. P.* with other Preferments, is above so mean and scandalous a Thought.

Judg. Pray Mrs. pay more Respect to a Person of the Doctor's Cloth.

Prisoner. Of the Doctor's Estate perhaps your Lordship means——

St. God a Mercy Client, say I, one of my establish'd Forehead, could not have added to that Assurance of yours: I blush to think I am outdone thus in my known Talent of Impudence.

Q. Coun. It's the first time then Brother of mine. But pray, Doctor, where have you seen the Prisoner at the Bar?

Meagre. At St. Paul's Cathedral, whither she came constantly after the Choir was built during the late Reign, and is constantly making Interest to come in this.

Q. Coun. Do you know the Reasons that induc'd her to frequent a Place that was held in detestation always by those of her Profession, who in *Oliver's* time made a Stable of it for Horses.

Meagre. She has told me her Reasons, they were to keep out the Members of the Church establish'd, and Elbow 'em out of all Places of Trust, as far as it was possible.

Q. Coun. You heard her say those very words, Doctor——

Meagre. I cannot say those very words upon the Oath which I have taken, tho I have taken Oaths two several ways in my time, but they were to the very same purpose.

Q. Coun. Did she hold any farther Discourse with you.

Meagre. Yes, Invited me to Dinner, during her Mayoralty, and us'd great Importunities with me to make Interest for such Convocation Men, as should surrender up the Rights of the Church. She told me the Party had provided themselves with a Weapon, to cut the Church off Root and Branch, and desir'd those in order to accomplish their Designs, I would side with some other P——tes, Deans, and Inferior Divines, to prefer a Bill of Comprehension to the Parliament.

S. L. Meer Words, my Lord, the Proverb tells us words are but wind, and so a F——t for the Doctor's Evidence, its of no weight or consequence at all.

Q. Coun. But Mr. R—— perhaps you may be mistaker, the Doctor has not done yet. Pray, good Doctor, did you ever see that Weapon you speak of.

Meagre.

Meagre. Yes, my Lord, I saw it ready drawn, 'twas a certain Bill which consisted of about six Skins of Parchments.

Q. Coun. How long and broad might it be?

Meagre. About a Yard long, and near a Foot and an half wide.

Sl. Don't believe him, my Lord, *Paul Diack's Hussars* in *Italy*, have not Sabres half so wide; the very Story destroys it self, and ought to die without any notice of it.

Judge. For as much as I can see, the Story will sooner destroy her, for it makes an Overt-Act appear beyond any Dispute or Question. But, Doctor, what Answer did you give the Gentlewoman at the Bar, when she desir'd your Assistance, and told you what Preparations the Party had made to come again in Play.

Meagre. Why truly, my Lord, every Body knows I am a downright Courtier, and hate Rudeness.

Judge. That is as much as to say, you complied with her Request: Is it not so, Doctor?

Meagre. Yes, my Lord, I did not know that Matters stood so much for the Advantage of the Church as they did, else I should have taken the strongest side. But I have made amends for it since, and having been of all King's Religions, but King *James's*, I am now grown a mighty Stickler for the Queen and the Church Establish'd.

Q. Coun. My Lord, I presume, we have detain'd this Honorable Court enough, and have fully made out our Charge against the Prisoner at the Bar: What remains now, is that the Prisoner should call her Witnesses to Invalidate the Testimonies which have been given against her; and if she can prove her self Innocent of the Crimes we have Accus'd her of.

Judge. You have heard, you that are the Prisoner at the Bar, what has been alledg'd against you, and have now the Liberty of making your Defence, and calling such Persons that are Credible, and Capable to acquit you if possible, from the Sentence, which otherwise, will infallibly light upon you. What Persons have you in Court to Attest your Reputation?

Prisoner. The Parson has sworn home. He sometime since was of a Squeamish Constitution, and could not digest an Oath till some Body could not ride in her Glass Coach, and play at Dice and Cards without his taking it ; but now I perceive he has strengthened his Stomach, which is grown like to that of an Ostrich, and can digest Iron. I therefore refer my self to my Council, who are to go according to their Breviates, and are best able to plead for me.

S. L. Call Mr. Ezekiel Puzzle Text.

Cryer. Mr. Ezekiel Puzzle Text.

S. L. Reverend Sir, will you be pleas'd to say what you know concerning the Prisoner at the Bar.

Puzzle Text. My Lord, it is well known at P---s-H---, that I am a Man of Healing Principles, and would not say a thing for the World, that did not tend towards the Salvation of the People committed to my charge. This Gentlewoman here is one of my Auditors, and I never knew any body lift up her Eyes, and skrew up her Face like her, which are great Tokens, may it please your Lordship, of exceeding Grace, and mighty Workings of the Inward Woman.

Q. Coun. And what of all this, Mr. Predestinarian, Have you any thing to say to her Reputation? If not, give way to those that will.

Puzzle Text. A little more moderation Friend, I have done nothing as I know to provoke you ; What do you call Reputation, if to have the Tokens of it be not so?

Q. Coun. That's like your own probably, that has the form of Godliness, as a certain Parson had that of Poetry without the Power. Do you know any thing to excuse her Conforming with us, at the same time she Herded with those that Dissented with you.

Puzzle Text. Yes truly, the Preservation of a whole Party depended upon it, and you'll find Examples in Scripture, as David's pretended Madness, &c. to prove the Legality and Seasonableness of Hypocrisie in some cases.

St. I think the *Bell* works you to Wax, Mr. Cook upon Littleton. I hope you have not the Impudence to deny the Scripture?

S. L. If he does, I'll prefer an Indictment of Blasphemy against him.

Q. Coun.

Q. Coun. I hope you'll draw it up your self then, Mr. R. as I may be sure to find a Flaw in it. But time is precious; has the Parson any more to say to the Matter? If not, bring in the rest of your Affidavit-Men.

Puzzle Text. My Testimony is all of the same nature, and I will prove it from the Laws of God and Man, That Hypocrisie is no Sin.

Q. Coun. No doubt of it, but you are provided with a Justification of your own darling Sin. Now for a more substantial Evidence, Mr R——, if you can, otherwise all the Law that you, and your Assistant there have, will never save your Client's Life.

S. L. If that will not do, I have one that never fail'd yet: Call *Perjury Porker*.

Cryer. Mr. *Perjury Porker*.

Porker. I am here, my Lord: Wou'd you please to send me in search after Papers, P——g-P——s, or Reflections on any Members of the Government, I am your Lordship's humble Servant.

Judge. No you Swine you: What Account can you give of the Woman at the Bar?

Sl. Four Guinea's you Dog you; Speak home and you have 'em——(*Aside.*)

Porker. Account, my Lord? She's as honest a Woman as e'er broke Bread, and I'll take my Oath of it, she was never guilty of any sort of Crime in her Life.

Q. Coun. My Lord, I except against him, he has falsely sworn against several Peoples Lives.

S. L. What then, he's making amends for it now, by endeavouring to save the Prisoner at the Bar.

Q. Coun. No matter for that, take away that Snuffing Fellow, the very Appearance of him on any bodies side, is enough to blacken the Cause he espouses.

Porker. You may repent what you have said; next time I get a Warrant to search for Suspected Persons——(*Aside.*) My Lord, I am a Servant to the G——t, and it's a Reflection upon it, to say any Person is entertain'd in the Service of it that is Perjur'd.

Judge. Have you any more Witnesses in Behalf of the Prisoner?

Mr. Sl.

Sl. Yes, My Lord, and one that is more Mealy-Mouth'd than the other. Mr. *Subornation Gellybroth* (there's your Money for you (*Aside*) tell the Court what you know concerning the Gentlewoman at the Bar.

Gelly. My Lord, I have known her from her Infancy, but never heard of her doing an Ill thing.

Qu. Counc. What do you count an Ill thing, Mr. *Gellybroth*, the Court shall know your Character, that it shall, if you don't prevent it by taking Shame to your self, and withdraw from it.

Gelly. I count all things Ill that are against one's Interest.

Qu. Counc. A pretty Explication. But that, without doubt, must be a good Deed that tends to the Destruction of your Neighbour. Come Sirrah, to let you know I mistake not the Man, I shall acquaint my Lord, and the Jury, that you came into a Printer's House, and dropp'd a Treasonable Paper there, and afterwards Swore, 'twas he that Printed it.

Gelly. Suppose I did so, 'twas the necessity of the Times at that Juncture, but I am grown Honest since I have been turn'd out of my Place.

Judg. Brother *L* ——— if you have no better Evidences than what you have brought, you may spare the Court any farther Trouble.

S ——— *L* ——— Truly My Lord, as things went lately, I think 'em undeniable ——— but we must submit, and hope the Gentlemen of the Jury will have other Sentiments.

Judg. What do you say to it Mistress; Have you any People of Reputation Themselves to speak in Behalf of Yours?

Pris. I thought these Credible Persons, their Words have been taken in the late Reign, and one would think would pass Currently now. But your Lordship's Thoughts are different from mine, and I Entirely fling my self upon the Mercy of the Jury, and ask that Justice from them that seems to be Denied me by the Court.

Judge. You Gentlemen of the Jury have heard the Tryal of the Prisoner at the Bar; have seen Her allow'd all the Advantages the Law would permit; She has had Council to Plead for her; has been suffer'd to make her Exceptions to

any

any thing that has been urged against Her, and bring what Persons She Pleas'd, to Justifie her Reputation. She stands Indicted of High-Treason, the greatest Crime any Sublunary Being can be guilty of, has Pleaded Not Guilty, and Join'd Issue accordingly. The Evidence against the Prisoner are Three; Mr. *Trueman*, Mr. *Trimmer*, and Mr. *Meagre*. As for the First, he seems to dive at Generals, only tells you, She was a Hypocrite, a Plotter, &c, from her very Original, had been seen at Church by him several Times, only to get into Offices. The Second goes much farther, proves an Overt-Act, and makes it appear She had several Conferences, &c. As at *Dick's Coffee-House*, the *Three Tuns*, and the *Rose-Tavern*. And the Third pushes still Homer, and affirms upon Oath, He saw the Weapon She had contriv'd, is particular in the Length and Breadth of it, and that this very Weapon was design'd for the Extirpation of the Establish'd Church, which is Treason in the Highest Degree. On the other hand, the Woman has produc'd her Witness, but two of them are charg'd with Perjury, the Parson speaks little to the Purpose, otherwise than to Justifie the Sin of Hypocrisie. Whose Witnesses are in the Right, you are to Determine; wherefore I shall leave it to you, without any other Direction, than, if you find the Allegations to be True, which are made against Her, you are to bring Her in Guilty of the Treason She stands Accus'd of; if not, and her Evidence are of good Reputation, you are to Acquit Her, and so may you do as Truth and Justice shall guide you.

Cl. of Ar. The Prisoner stands Indicted, &c. Mr. Foreman of the Jury, what say you, is She Guilty, or not Guilty, what is your Verdict.

Foreman. Guilty, my Lord.

Cl. of Ar. What Goods and Chattels?

Foreman. As much as She could Grasp at in Fourteen Years Management of Affairs.

Judge. You Mrs. *Occasional Conformity* have been Arraign'd at the Bar, put your self upon your Tryal, and Pleaded Not Guilty. You have not wanted for what Favour it was in the Power of the Court to shew you, but you have been weigh'd in the Ballance, and found Light; have been found Guilty by the Grand Inquest for Justice, so that nothing remains

Sl. Yes, My Lord, and one that is more Mealy-Mouth'd than the other. Mr. *Subornation Gellybroth* (there's your Money for you (*Aside*) tell the Court what you know concerning the Gentlewoman at the Bar.

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mains but to pass but to pass Sentence of Death, as in the like Cases, unless you have any thing to urge in Arrest of Judgment.

Pris. My Lord, if you please to Remember, I said I would be Tried by the Act of Toleration ——— that permits me to be of what Religion I will, so that I behave my self Regularly and Quietly under the Establish'd Government.

Judge. But that Act does not allow you to Plot against the Establish'd Religion, and study Ways and Means to Extirpate Her.

Mr. Sl. Plead your Belly, (*to the Prisoner*) Under Favour, my Lord, I have been told She is with Child.

Judge. Let a Jury be Impanell'd; and accordingly a Jury was Impanell'd, and she was Brought in not Quick with Child.

S ——— *L* ——— My Lord, I except against their Testimony, they are no more Right Matrons than I am, if they were, they must of course have brought her in Quick with Child.

Qu. Coun. But we have prevented their being *Right Matrons* this Time, and hinder'd 'em from fingering the Money that makes others so Quick with Child. Marry that's a very good Conceit, none but such a Council that promoted the Plea would have said it.

Sl. Why not? My Brother will tell you, that a Woman may Conceive at above a Hundred Years Old.

Qu. Coun. Your Brother and you are two Non-such's; but the Court must stand by the Verdict that has been given before them.

Sl. I will make a Fool of Her ——— Council, though I Torture my Brains for a Text of Scripture to prove my Assertion by ——— So, now I have hit upon one with much adoe; *And Sarah was an Hundred Years Old*, &c. What think you of that, Mr. Cause-Splitter? And yet this *Sarah* was afterwards Deliver'd of a Son. Who is in the Right now, my Brother and I that have the Scripture on our Sides, or your Jury of Matrons with a Pox to 'em?

Qu. Coun.

Qu. Coun. Why truly what you alledge, is so little worth any one's Thought, that I think nothing at all of it. You might have made a Tolerable Parson for all that I see, but you are a meer Devil for Law.

Sl. To shew you that I can be too hard for you at either, I'll relinquish my last Plea, and refer my self to another.

Judge. Hark you Sir, the Court has had a deal of Patience, has heard with Calmness ev'ry thing that has been said, and permitted you the use of a very scurvy Tongue; but you have mispent the time allow'd you, and instead of Law-Quotations in vindication of your Client, have step'd into the *Old Testament* to fetch a Miracle to preserve her; but unless your other Plea you talk of, be more to the purpose than what you last put up in her Defence, I must proceed to give Judgment as the Court awards.

Sl. Have not I been a Barrister long enough, my Lord, to know what's good for my Client, and what is not. I say I am a Barrister; and question not, if I could have fair Play, but I should make appear I am a Credit to the Gown that is now upon my Back. But I am over-rul'd, and will enter my Protest accordingly.

S. L. So do we protest against these Arbitrary Proceedings, my Lord, who the Devil of a Lawyer would sling away any more Arguments of this nature; it's mere Pissing against the Wind, it signifies nothing: Wherefore I close this learned Mouth of mine, with this satisfaction to my Conscience, That I have clearly earn'd the Money given me by the Prisoner at the Bar, and sold the Law as cheap as any Man in *England* could afford. I protest, I have exhausted my self so much in this Tryal of hers, that I know not when I shall recruit again: So, Madam, I must take my leave of you, and home to my Study, for fear this Skull of mine should furnish Disputants to prove an Argument for a *Vacuum* by it.

Q. Coun. You see, Mistriss, your Champions have left you, but their Protestations will do you little Service, unless you have any thing to offer that is momentous, and of higher Importance than what the Court has been troubled with.

Prisoner. I see but too plainly, my Lord, I am a lost Woman, without your Lordship's Interposition in my behalf. I had pleaded Guilty at first, and deserv'd some Mercy at the Hands of

the Court; but these two Gentlemen persuaded me to the contrary, and fed in: up with hopes that I should be brought off with an unquestioned Reputation by their mean. But I perceive the quite contrary: I have flung away my Money to no purpose, and am rather Ruin'd than Assisted by them.

Q. Coun. I could have told you as much before you employ'd 'em, but you must take it patiently, it's hard for them to part with old Habits, and it's customary with them to use their Clients after this manner.

Prisoner. I am a miserable Instance of such a Practice, but I beg the Direction of this Honourable Court, if any thing may be possible to intervene to save my Life.

Judge. Nothing that I am able to foresee.

Prisoner. My Lord, I have been inform'd that Transportation has been frequently allow'd to persons under my Circumstances, I therefore say, Transportation my Lord.

Judge. It cannot be granted you; if it could, what Climate would Entertain such a Troublesome Wretch. No, no, you must be taken off, and wholly render'd Incapable of ever returning.

Pris. Your Lordship knows I have great Friends, and some ~~B~~ on my side, that say, *The Dissenters are too great a Body of Men to be dis-oblig'd*, which I hope will make you take more Favourable Resolutions in this last and greatest Concern. I have lately been Acquitted in a very Solemn Assembly, have had the Greatest and Wisest of Men to speak in my Behalf, and will Your Lordship run counter to their Proceedings.

Judge. I must do as the Law directs, and without leaning to one side or other, without the least shew of Partiality, Execute the Office I am Entrusted with. The Statute Law of this Kingdom has been violated by you, and you are to Attone for the said Violation, which requires your Blood. I am loth, very loth to do a Duty which is Incumbent upon me. But you have put your self upon your Tryal, have been found Guilty, upon which you have Pleaded your Belly, and have had the Verdict of Twelve Matrons against you, and if you are Quick with any thing, it must be with a Monster; to prevent which, You are to be Carried from hence to the Place from whence you came, and from thence to the Place

of

of Execution, where You are to Hang by the Neck till you are Dead, Dead, Dead, and the Lord have Mercy on your Poor Soul. A more favourable S — e than pass'd once, when one of your Councel order'd a Woman's Privy-Members to be Cut off.

Pris. I hope my Lord; you'll permit me to be Buried in the Burying-Place of the Occasionalists in Bunhill-Fields.

Judge. Your Body is to be at the Disposal of G — nt, which, without doubt, will grant you that Favour.

Cl. of Ar. Ay, Take care of of Her, Goaler.

Pris. I must submit, My Lord, to the Judgment that has been given against me.

Qu. Coun. Yes, my Lord, She has been always of a very tractable Temper, She has ever submitted to any Oath that has been Impos'd upon Her, &c.

Pris. It's very hard for a Woman in my Circumstances to be thus Flouted at, but in some measure I deserve it, for I remember, when Sir O — B — one of my Communion, was Sheriff, he was very Witty upon the Condemn'd persons, he made his Jest on People just Expiring, and serv'd every one as I am now serv'd, so that I must Acquiesce.

Judge. Have you any other Request to make before the Court Rises; if you have, now is your time, and you are to make use of it.

Pris. Nothing my Lord, but that I may have sufficient Time allowed, to prepare my self for another World.

Qu. Coun. I enter a Caveat against any such Grant, should she be allow'd from this time to Eternity, her Original Impurities would never be wash'd off. It's Impossible She should ever be prepar'd for Mounting, her Sins are so heavy, they must needs Sink Her.

Judge. Have more Compassion Sir (to the Prisoner) You shall have all priviledges that are convenient. Goaler take away your Prisoner, and Cryer Adjourn the Court.

Cryer. O yes, O yes, O yes, If any Man or Woman, &c.

And the Court was Adjourn'd accordingly to the 24th of February next, Nine in the Morning.

GOD Bless the Q--- of Troynovant.

F I N I S.

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